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STATUTORY INSTRUMENTS

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**1976 No. 2004**

**HEALTH AND SAFETY FACTORIES**

**The Factories Act 1961 Etc. (Repeals) Regulations 1976**

<i>Made</i>	- - - -	<i>26th November 1976</i>
<i>Laid before Parliament</i>		<i>7th December 1976</i>
<i>Coming into Operation</i>		<i>1st January 1977</i>

The Secretary of State in exercise of the powers conferred on him by sections 15(1) and (3)(a) and 82(3)(a) of the Health and Safety at Work etc. Act 1974 (“the 1974 Act”) as amended by section 116 of and paragraph 6 of Schedule 15 to the Employment Protection Act 1975 and of all other powers enabling him in that behalf and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:—

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Factories Act 1961 etc. (Repeals) Regulations 1976 and shall come into operation on 1st January 1977.

(2) The Interpretation Act 1889 shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

**Repeals—the Factories Act 1961**

2. In the Factories Act 1961 the provisions mentioned in column 1 of the Schedule to these Regulations are hereby repealed to the extent specified in column 2 of that Schedule.

**Revocations—instruments under the Factories Act 1961**

3. The following instruments, that is to say:—

- (a) the Factories Act 1961 (Extension of Section 40) Regulations 1964(1); and
- (b) the Factories (Fire Certificate Application) Order 1965(2),

are hereby revoked.

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(1) (1964 II, p. 1626).  
(2) (1965 II, p. 3664).

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## **Supplemental**

4. These Regulations shall not affect the validity of anything done under any provision repealed by the Regulations before the coming into operation of the Regulations.

Signed by order of the Secretary of State.

26th November 1976

*John Grant*  
Joint Parliamentary Under Secretary of State  
Department of Employment

## SCHEDULE

Regulation 2

### REPEALS OF PROVISIONS OF THE FACTORIES ACT 1961

<i>Provision</i>	<i>Extent of repeal</i>
Sections 40 to 52.	The whole section in each case.
Section 120.	The whole section.
Section 140.	Subsection (2).
Section 146.	The whole section, so far as still in operation.
Section 147.	The whole section, so far as aforesaid.
Section 148.	The whole section.
Section 156.	The whole section except in relation to offences committed before 1st January 1977 and offences under section 135.
Section 160.	The whole section except in relation to offences committed before 1st January 1977 and offences under section 135.
Section 161.	The whole section except in relation to offences committed before 1st January 1977 and offences under section 135.
Section 164.	Subsections (1) and (2) except in relation to offences committed before 1st January 1977 and offences under section 135.
Section 165.	The whole section.
Schedule 2.	The whole Schedule.

### EXPLANATORY NOTE

These Regulations contain repeals of provisions of the Factories Act 1961 and instruments thereunder relating to fire precautions.

They are made in consequence of the coming into operation on 1st January 1977 of—

- (i) The Fire Precautions (Factories, Offices, Shops and Railway Premises) Order 1976 (S.I. 1976/2009);
- (ii) The Fire Certificates (Special Premises) Regulations 1976 (S.I. 1976/2003); and
- (iii) The Fire Precautions (Non-Certificated Factory, Office, Shop and Railway Premises) Regulations 1976 (S.I. 1976/2010);

which together supersede the provisions repealed by these Regulations.